

REMARKS

In view of the above amendments and following remarks, reconsideration of the present application is respectfully requested.

Initially, the Examiner inadvertently failed to provide his initials next to the two most uppermost references (i.e. USPN: 6,701,064 & USPN: 5,907,658) on form PTO-1449 submitted with the IDS on September 18, 2007. Accordingly, the Examiner initials next to these two references on form PTO-1449 is respectfully requested.

By this amendment, the specification has been amended to insert a new paragraph title “Cross-Reference to Related Applications” containing the same related application information as on the filing receipt. It is submitted that no new matter has been added.

Further by this amendment, claims 1-6, 8 and 11 have been amended and claim 10 has been cancelled. Accordingly, claims 1-9 and 11 are pending in this application.

It is noted with appreciation that the Examiner has indicated claims 6-9 and 11 are allowed. The amendments made to claims 6, 8 and 11 are minor editorial amendments which are not made for reasons related to patentability.

The Examiner has objected to claims 1, 6 and 11 for the informality noted in paragraph 1 of the office action. Accordingly, each of claims 1, 6 and 11 has been amended as required by the Examiner and it is submitted that the claims are now in proper form.

Next, it noted that the Examiner has rejected claims 1-5 under 35 U.S.C. §101 due to the assertion that such claims are directed to non-statutory subject matter for the reasons noted in paragraph 3 of the office action.

Without intending to acquiesce to the Examiner's aforementioned rejection and in order to expedite allowance of this application, independent claim 1, as well as claims 2-5 dependent thereon, have been amended so as to recite a recording method which clearly constitutes statutory subject matter under 35 U.S.C. §101. Support for such amendment can be found at least on page 53 (line 15) – page 54 (line 17) and Figure 38 of the application.

In view of the foregoing, it is submitted that the present application is clearly allowable and the Examiner is kindly requested to promptly pass this case to issuance.

In the event, however, that the Examiner has any comments or suggestion of a nature necessary to place this case in condition for allowance, then the Examiner is kindly requested to contact the Applicant's representatives to expedite allowance of this application.

Respectfully submitted,

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